

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App No. : 10/806,907 Confirmation No. 2395
Applicant : Jian Bai, Steven M. Fischer and J. Michael Flanagan
Filing Date : March 22, 2004
Title : Ambient Pressure Matrix-Assisted Laser Desorption
Ionization (MALDI) Apparatus and Method of Analysis
Group Art Unit : 2881
Examiner : Paul M. Gurzo
Docket No. : 10980322-5 (12089.4004)

TERMINAL DISCLAIMER

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Kurt T. Mulville, represent that I am an attorney for the above-identified application. The above-identified application has been assigned to AGILENT TECHNOLOGIES, INCORPORATED. AGILENT TECHNOLOGIES, INCORPORATED is currently named as the owner of 100% interest in the above-identified invention, and owner of 100% interest in patent application serial no. 10/806,908 filed March 22, 2004.

AGILENT TECHNOLOGIES, INCORPORATED hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the statutory expiration date of a patent issuing from patent application serial no. 10/806,908 filed March 22, 2004. Moreover, AGILENT TECHNOLOGIES, INCORPORATED hereby agrees that any patent so granted on

CERTIFICATE OF MAILING 37 CFR §1.10

Date: June 23, 2005

I hereby certify that on the dated listed above, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service in accordance with 37 C.F.R. § 1.10 as "First Class Mail Post Office to Addressee," with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to a patent issuing from patent application serial no. 10/806,908 filed March 22, 2004, this agreement to run with any patent granted on the above-identified application and to be binding upon AGILENT TECHNOLOGIES, INCORPORATED its successors, or assigns.

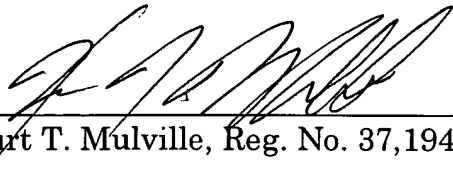
AGILENT TECHNOLOGIES, INCORPORATED does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of a patent issuing from patent application serial no. 10/806,908 filed March 22, 2004, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.312(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is authorized to charge Agilent Technologies' Deposit Account No. 501078 for the Terminal Disclaimer fee of \$55.00 or for any fees required that are not covered, in whole or in part, and to credit any overpayments to said Deposit Account No. 501078.

Respectfully submitted,
ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: June 23, 2005

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By: 
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